

Bosna i Hercegovina
MINISTARSTVO PRAVDE
Sektor za strateška planiranja, koordinaciju
pomoći i europske integracije



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MAPPING OF EXTERNAL ASSISTANCE AGAINST BiH JUSTICE SECTOR REFORM STRATEGY PROGRAMMES



On behalf of the UK Government, *Atos Consulting* is currently providing technical assistance to the Sector for Strategic Planning, Aid Coordination and European Integration of BiH Ministry of Justice



**British Embassy
Sarajevo**

Pillar I – Judiciary

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage: |
|-------|--|---------|---|--|-----------------------|----|----|----|----|--|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=★ |
| 1.1.1 | Develop and implement formal mechanisms for preparing, adopting and executing budgets of the judicial institutions in BiH which ensure the independence of the judiciary | 1.1.1.1 | The role of the HJPC vis-à-vis the role of executive and legislative authorities in terms of preparing, adopting and executing budgets is strengthened and enshrined in legislation | MoJ BiH, entities and cantons and JC BD and HJPC | x | x | x | x | x | USAID-Justice Sector Development Project provided technical assistance in this area in the past. Further external assistance is required. | ● |
| | | 1.1.1.2 | Improved ability of the managers in courts and prosecutors offices in the process of planning and executing the budget | MoJ BiH, entities and cantons and JC BD and HJPC | | | x | x | x | USAID-Justice Sector Development Project provided technical assistance in this area in the past. There may be a next phase of UK support to programme budgeting with some limited support to the justice sector. Further external assistance is required. | ⊙ |
| | | 1.1.1.3 | Improved coordination and consultations between the MoJs and MoFs, as well as between the legislative authorities and the HJPC | MoJ BiH, entities and cantons and JC BD and HJPC | x | x | x | | | USAID-Justice Sector Development Project provided technical assistance in this area in the past. DfID/ATOS Consulting – provided technical assistance in this area in the course of JSRS development. UK FCO continues providing assistance in this area until end of 2008. EC/IPA Project of TA to the BiH MoJ SSPACEI envisages continuation of provision of assistance from Jan.-Dec. 2009. | ● |

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| | | 1.1.1.4 | Individual budgets for all courts and prosecutors offices established | MoJ BiH and HJPC | x | | | | | External assistance is required. | ● |
| 1.1.2 | Strengthen capacities of the Justice Ministries and HJPC in preparation and execution of their budgets, in accordance with competencies as defined by law | 1.1.2.1 | Financial requests prepared in line with strategic priorities and realistic needs of the judiciary in BiH | MoJ BiH, entities and cantons and JC BD and HJPC | | | x | x | x | USAID-Justice Sector Development Project provided some limited technical assistance in the past. Further external assistance is required. | ⊙ |
| 1.1.3 | Develop a study of the realistic financial needs of the judicial institutions in BiH, taking into consideration priorities of the judiciary | 1.1.3.1 | A study prepared and adopted as the basis for future financing of the judiciary in BiH | MoJ BiH, entities and cantons and JC BD and HJPC | x | x | x | | | External assistance is required. | ● |
| | | 1.1.3.2 | Methodology for future projections of financial needs of the judiciary agreed | MoJ BiH, entities and cantons and JC BD and HJPC | x | x | x | | | External assistance is required. | ● |

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| 1.1.4 | Investigate the possibility of harmonising the procedure for the selection of the BiH Constitutional Court judges with the existing procedures for the selection of judges for the RS and FBiH Constitutional Courts | 1.1.4.1 | An analysis of the implications of harmonising the procedures for the selection of BiH Constitutional Court judges with the existing procedures for the selection of judges for the RS and FBiH Constitutional Courts developed and implementation measures proposed | MoJ BiH and HJPC | x | | | | | External assistance is required. | ● |
| 1.1.5 | Enact single law on prosecutors offices in the Federation of BiH | 1.1.5.1 | The organisation of prosecutors offices regulated on the level of the Federation of BiH | MoJ FBiH, cantons and HJPC | x | | | | | External assistance is not required. | ★ |
| 1.2.1 | Conduct analysis of the required changes to legislation, to decrease the number of backlog cases in the enforcement procedure initiated on the basis of "authentic documents" (such as unpaid utility bills) and propose appropriate measures | 1.2.1.1 | Analysis conducted and corresponding measures identified and implemented so that these types of cases are dealt with through administrative procedure | MoJ BiH, entities, cantons BD JC and HJPC | x | | | | | Norway Embassy funds the Backlog Reduction Project from Feb 08. Also, USAID/JSDP and CIDA/GENIVAR - provide technical assistance in this area. | ● |

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| 1.2.2 | Conduct an analysis of backlogs in the prosecutors offices and recommend the necessary measures for resolving this issue (legislative or other measures) | 1.2.2.1 | Analysis conducted and measures identified and implemented with the aim of reducing backlogs in the prosecutors offices | MoJ BiH and entities, BD JC and HJPC | x | | | | | External assistance is required. | ● |
| 1.2.3 | Introduce alternative measures for criminal prosecution with aim of reducing pressures on the courts | 1.2.3.1 | Develop analysis and give recommendations based upon comparative experiences in using alternative measures of criminal prosecution including the implications for introducing these mechanisms in the legal practice of BiH, and for the courts in BiH | MoJ BiH and entities, BD JC and HJPC | | | | | | External assistance is required. | ● |
| | | 1.2.3.2 | Based on the analysis change legislation to introduce alternative measures for criminal prosecutions | MoJ BiH and entities, BD JC and HJPC | | | | | | External assistance is required. | ● |

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| 1.2.4 | Develop and adopt a plan for funding the reconstruction of the courts from domestic, credit and donor resources, based on the architectural and technical plan of the HJPC | 1.2.4.1 | Plan developed and adopted | MoJ BiH, entities, cantons BD JC and HJPC | x | x | | | | US government/ALISEI provided technical assistance to HJPC in developing the plan. Further external assistance is required. | ⊙ |
| | | 1.2.4.2 | Sources of credit and donor funds identified and funds activated | MoJ BiH, entities, cantons BD JC and HJPC | x | x | | | | EC and Norway Embassy provided funding for the reconstruction of Sarajevo Cantonal/Municipal Court and Istocno Sarajevo District/Municipal Court. Further external assistance is required. | ⊙ |
| | | 1.2.4.3 | Plan for finding funds for ongoing financing of courts' capital investment needs from domestic budgets developed and adopted | MoJ BiH, entities, cantons BD JC and HJPC | x | x | | | | External assistance is required. | ● |
| 1.2.5 | Implement in full the measures relating to the computerisation of the judiciary as foreseen by the HJPC Strategic Plan | 1.2.5.1 | Sources of donor funds identified and funds activated | MoJ BiH, entities, cantons BD JC and HJPC | x | x | x | x | x | USAID, EC and Norway Embassy provided funding for the ICT project of the HJPC and will cover it until 2009. Netherlands will be providing assistance until 2010 whereas Swedish SIDA until June 2011. | ● |

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| | | 1.2.5.2 | Fund raising plan for ongoing financing of ICT in courts and prosecutors offices from local budgets developed and adopted | MoJ BiH, entities, cantons BD JC and HJPC | x | x | x | x | x | No external assistance is required. | ★ |
| 1.2.6 | Provide ongoing training in management for managerial staff in the institutions of the BiH judiciary | 1.2.6.1 | Training programme defined and implemented | HJPC, CEST FBiH, CEST RS and BD JC | x | x | x | x | x | USAID-JSDP provided technical assistance to HJPC in this area in the past. Further external assistance is required. | ⊙ |
| 1.2.7 | Develop policy and issue appropriate legislation, to regulate the courts and prosecutors offices administration | 1.2.7.1 | All requirements for the efficient, effective and accountable work of courts and prosecutors' administrations defined | MoJ BiH and entities, BD JC and HJPC | x | x | | | | Irish Aid funded and USAID/JSDP provided experts to assist in the drafting of the book of rules. Further external assistance is required. | ⊙ |
| | | 1.2.7.2 | Qualifications structure for the staff of courts and prosecutors offices improved and the skills of the administrative staff upgraded | MoJ BiH and entities, BD JC and HJPC | x | x | | | | External assistance is required. | ● |
| | | 1.2.7.3 | The position, rights and duties of staff of courts and prosecutors offices adequately defined | MoJ BiH and entities, BD JC and HJPC | x | x | | | | USAID/JSDP provided technical assistance in the past. Further external assistance is required. | ⊙ |

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| 1.2.8 | Conduct analysis of the number of judges and prosecutors needed | 1.2.8.1 | Conduct analysis of number of judges in relation to case inflow and identify instances in which changes in numbers are needed | HJPC | x | | | | | USAID/JSDP will provide technical assistance until March 2009. Further external assistance is required. | ⊙ |
| | | 1.2.8.2 | Develop analysis of prosecutorial staff (especially the ratio of expert associates and trainees in relation to prosecutors) in comparison to the existing number of cases and case inflow in order to determine the appropriate ratios | | x | | | | | USAID/JSDP will provide technical assistance till March 2009. Further external assistance is required. | ⊙ |
| 1.3.1 | Develop and complete the application of timeframes of proceedings in all courts and prosecutors' offices in BiH | 1.3.1.1 | Timeframes of proceedings developed and applied in all courts, including the Court of BiH | HJPC | x | x | | | | USAID/JSDP will provide technical assistance till March 2009. Further external assistance is required. | ⊙ |
| | | 1.3.1.2 | Timeframes of proceedings for prosecutors' offices in BiH developed and applied | HJPC | x | x | | | | USAID/JSDP will provide technical assistance till March 2009. Further external assistance is required. | ⊙ |

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| 1.3.2 | Begin setting up a system of foreseeable timeframes in processing cases in courts, in accordance with the recommendations of the Council of Europe (CEPEJ) | 1.3.2.1 | Analysis of possible foreseeable timeframes, based on type of cases and courts, conducted | HJPC | x | x | | | | External assistance is required. | ● |
| | | 1.3.2.2 | Timeframes set and applied | HJPC | x | x | | | | External assistance is required. | ● |
| 1.3.3 | Improve provisions pertaining to disciplinary responsibility of the judges and prosecutors in the Law on HJPC BiH | 1.3.3.1 | The existing provisions of the Law changed and disciplinary procedure clearly defined and implemented in practice | MoJ BiH and HJPC | x | | | | | CIDA/GENIVAR is providing technical assistance. | ● |
| 1.3.4 | Reform and improve the system of bar exams in BiH | 1.3.4.1 | Harmonised criteria and programmes for bar exams in BiH established | MoJ BiH and entities and HJPC | x | | | | | CIDA/GENIVAR is providing limited technical assistance in this area. Additional external assistance is required. | ⊙ |

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| 1.3.5 | Establish a legal obligation for hiring apprentices, volunteer apprentices and expert associates in all courts and prosecutors offices in BiH, proportionate to the size of the courts and prosecutors' offices | 1.3.5.1 | The obligation defined by law with clear criteria for employing apprentices and expert associates | MoJ BiH, entities and cantons, BD JC and HJPC | x | x | | | | Existing and upcoming projects of support to BiH MoJ (British Embassy, EC, USAID) may cover this issue. No other external assistance is required. | ● |
| 1.3.6 | Implement the adopted medium-term strategic plans for training of the judges and prosecutors of JPTC FBiH, JPTC RS and BD JC and enhance these plans in order to satisfy current and future needs of judges and prosecutors | 1.3.6.1 | All priority measures from strategic plans implemented | HJPC, CEST FBiH, CEST RS and BD JC | x | x | x | x | x | No external assistance is required. | ☆ |

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| | | 1.3.6.2 | Strategic plans enhanced in order to ensure training includes those areas that the judges and prosecutors consider are relevant for their current and future work, as well as ensure that judges and prosecutors are trained in all relevant human rights' conventions and are informed about the decisions of the Court of Human Rights in Strasbourg | MoJ BiH, entities and cantons, BD JC and HJPC, MoS BiH and entity ministries of interior | x | x | x | x | x | External assistance is required. | ● |
| | | 1.3.6.3 | Programs of joint training for prosecutors and police officials prepared | | x | x | x | x | x | UK Embassy funded project 'Establishment of better cooperation mechanisms between police and prosecutors offices' will cover this activity. | ● |
| 1.3.7 | Harmonise records and statistics, as well as provide conditions for accessing criminal records | 1.3.7.1 | Records and statistics harmonised and access to them made readily available | | x | x | x | | | USAID/Justice Sector Development Project provided assistance to the BiH MoJ to develop and maintain the Database of committed severe crimes. Further assistance is required. | ⊙ |

Pillar II – Execution of Criminal Sanction

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage: |
|-------|--|---------|---|--------------------------------|-----------------------|----|----|----|----|--|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=★ |
| 2.1.1 | Harmonise all standards and regulations pertaining to criminal sanctions execution in Bosnia and Herzegovina | 2.1.1.1 | Standards and regulations are harmonised | MoJ BiH and entities and BD JC | x | x | | | | Council of Europe provides technical assistance in this area. | ● |
| 2.1.2 | Establish prison administrations using harmonised legislation and standards | 2.1.2.1 | Directors and at least 2 to 3 assistants appointed | MoJ BiH and entities and BD JC | | | x | x | x | Council of Europe will provide technical assistance as part of its ongoing support. Further external assistance is required. | ⊙ |
| | | 2.1.2.2 | Basic material conditions for the Directorate functioning created | MoJ BiH and entities and BD JC | | | x | x | x | External assistance is required. | ● |
| | | 2.1.2.3 | Legal status of the prisons defined as organisational units of the Directorates | MoJ BiH and entities and BD JC | | | x | x | x | External assistance is required. | ● |

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| 2.1.3 | Conduct re-categorisation of the prisons and classification within the prisons | 2.1.3.1 | Re-categorisation of the prisons completed | MoJ BiH and entities and BD JC | x | x | | | | The Council of Europe provided technical assistance in this field in the past. Further external assistance is required. | ⊙ |
| 2.2.1 | Develop conditional release system | 2.2.1.1 | Increased percentage of persons on conditional release (in line with the requirements outline by the law) in comparison with 2007 | MoJ BiH and entities and BD JC | x | x | x | | | External assistance is required. | ● |
| | | 2.2.1.2 | Criteria for Commissions work defined and harmonised | MoJ BiH and entities and BD JC | x | x | x | | | External assistance is required. | ● |
| | | 2.2.1.3 | Analysis conducted and proposals developed for probation system | MoJ BiH and entities and BD JC | x | x | x | | | EC will cover this through its IPA 2007 project 'Efficient Prison Management'. | ● |
| 2.2.2 | Achieve recognition for execution of alternative sentences and implement the "community service" institute | 2.2.2.1 | Pilot community service and recommend general solutions | MoJ BiH and entities and BD JC | x | x | x | x | x | Council of Europe provided technical assistance in this field in the past. Further external assistance is required. | ⊙ |
| | | 2.2.2.2 | Adopt and implement implementing regulations | MoJ BiH and entities and BD JC | x | x | x | x | x | External assistance is required. | ● |

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| | | 2.2.3 | Prepare studies on introduction of other types of alternative sentences | MoJ BiH and entities and BD JC | x | x | x | x | x | External assistance is required. | ● |
| 2.2.3 | Improve conditions by reconstructing existing prisons, abandoned military facilities and construction of the state prison | 2.2.3.1 | A coherent plan of reconstruction of the existing facilities and construction of the state prison developed | MoJ BiH and entities and BD JC | x | x | x | x | x | EC and CoE Development Bank provided assistance in the past. Further external assistance is required. | ⊙ |
| | | 2.2.3.2 | Increased accommodation capacity in comparison with 2007. | MoJ BiH and entities and BD JC | x | x | x | x | x | EC, Sweden, Netherland, USA and CoE Development Bank are due to provide assistance for construction of the high security state prison. Further external assistance is required. | ⊙ |
| 2.3.1 | Advance the system of treatment for specific categories of prison population (minors, women and persons under obligatory treatment) | 2.3.1.1 | A joint plan for treatment of specific prisoners categories adopted and implemented | MoJ BiH and entities and BD JC | x | x | x | | | Council of Europe, OSCE and EC, respectively, provided technical assistance in the past. Council of Europe will continue its assistance. Also EC will provide assistance through its IPA 2007 project 'Eff. Prison Managment' | ● |
| | | 2.3.1.2 | Additional accommodation for these categories provided | MoJ BiH and entities and BD JC | x | x | x | | | Council of Europe and OSCE, respectively, provided technical assistance in the past. Further external assistance is required. | ⊙ |

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| 2.3.2 | Advance the system of health protection for the entire prison population | 2.3.2.1 | A joint health protection plan, agreed with the Health Ministers, adopted and implemented | MoJ BiH and entities and BD JC | x | x | x | | | Council of Europe and OSCE, respectively, provided technical assistance in the past. Further external assistance is required. | ⊙ |
| 2.3.3 | Establish a system of independent prison inspection in Bosnia and Herzegovina | 2.3.3.1 | Laws and by-laws passed | MoJ BiH and entities and BD JC | x | x | x | x | x | Council of Europe provided technical assistance in the past, Council of Europe is, also, expected to continue providing assistance in this field through its ongoing support. | ● |
| | | 2.3.3.2 | Chief Prison Inspector appointed, with provision of minimal conditions for work | MoJ BiH and entities and BD JC | x | x | x | x | x | It is expected that the Council of Europe will continue providing assistance in this field through its ongoing support. | ● |
| 2.3.4 | Develop and implement coherent system of education and training for prison staff in Bosnia and Herzegovina | 2.3.4.1 | A coherent and harmonised programme of education and training passed | MoJ BiH and entities and BD JC | x | x | x | x | x | Council of Europe, CIDA and EC, respectively, provided technical assistance in the past. It is expected that the Council of Europe will continue providing assistance in this field through its ongoing support. | ● |
| | | 2.3.4.2 | Method and mechanisms for implementation of continuous training identified | MoJ BiH and entities and BD JC | x | x | x | x | x | Council of Europe, CIDA and EC, respectively, provided some technical assistance in the past. It is expected that the Council of Europe will continue providing assistance in this field through its ongoing support. | ● |

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| 2.3.5 | Introducing alternative measures for custody | 2.3.5.1 | Conduct an analysis of existing and possible alternative measures of custody with a proposal of measures for introducing alternatives | MoJ BiH and entities and BD JC | x | x | x | x | x | OSCE is expected to provide technical assistance in this field. | ● |
| 2.3.6 | Enhance the standards regarding the procedure of incarcerating individuals and keeping incarcerated individuals and suspects by police and prosecutors | 2.3.6.1 | Make an encompassing analysis of existing standards with a proposal of measures for enhancing these standards | MoJ BiH and entities and BD JC | x | x | x | x | x | External assistance is required. | ◉ |
| 2.3.7 | Developing a legally defined and harmonised system of amnesty and pardoning in accordance to international standards | 2.3.7.1 | All measure for legally defining and harmonising the system of amnesty and pardoning identified and implemented | MoJ BiH and entities and BD JC | x | x | x | x | x | Council of Europe is expected to continue providing assistance in this field. | ● |

Pillar III – Access to justice

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage: |
|-------|---|---------|---|--|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=★ |
| 3.1.1 | Establish mechanisms that ensure targeted professional development programmes in international legal aid and cooperation for judges and prosecutors in BiH, as well as for civil servants in the bodies that have a role in providing international legal aid and cooperation | 3.1.1.1 | Harmonised programmes of professional training in the field of international legal aid for a targeted group of judges and prosecutors in BiH developed and adopted, and continuously and consistently implemented | MoJ BiH and entities, and BD JC, HJPC and CEST FBiH and RS | x | x | x | x | x | EC and USAID/Justice Sector Development Project provided technical assistance in the past. USAID/JSDP assistance will continue until March 2009. Further external assistance is required. | ⊙ |
| | | 3.1.1.2 | Strengthen capacity and equip staff in the Sector for international legal aid and cooperation of BiH MoJ | MoJ BiH and entities, and BD JC, HJPC and CEST FBiH and RS | x | x | x | x | x | USAID/Justice Sector Development Project provided technical assistance in the past. USAID/JSDP assistance will continue until March 2009. Further external assistance is required. | ⊙ |

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| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⦿ Not covered=● Ext. Assist. not required=★ |
| 3.1.2 | Ensure harmonisation of court practice in BiH related to international legal aid and cooperation | 3.1.2.1 | Full implementation of Article 13 of the Law on BiH Court, in particular those aspects that refer to the Court competence for harmonisation of the court practice in BiH, in the field of international legal aid and cooperation, as well as implementation of other regulations regulating this area | BiH Court, FBiH and RS Supreme Courts, BD Appeal Court, BiH and entity MoJ, BD JC | x | x | x | x | x | No external assistance is required. | ★ |
| 3.1.3 | Clearly define the extradition and transfer procedures for convicted persons and set up financing procedures for these through budgets of the appropriate ministries and BD JC | 3.1.3.1 | Model of financing for the procedures of extradition and transfer of convicted persons defined by legislation, through changes to entity Criminal Procedure Code and passing of the Law on international legal aid in BiH | MoJ BiH and entities, and BD JC | | x | x | | | External assistance is required. | ● |

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| | | 3.1.3.2 | Harmonisation of the entity and BiH Criminal Procedure Code, law on asylum and law on citizenship | MoJ BiH and entities, and BD JC | | x | x | | | External assistance is required. | ● |
| 3.1.4 | Pass a new law on international legal aid and cooperation in criminal matters in BiH | 3.1.4.1 | New law on international legal aid and cooperation in criminal matters in BiH adopted and implemented consistently | MoJ BiH | x | | | | | No external assistance is required. | ★ |
| 3.1.5 | Establish a registry of convictions for BiH citizens convicted abroad and in country | 3.1.5.1 | Legal framework established | MoJ BiH and other competent institutions | x | | | | | No external assistance is required. | ★ |
| | | 3.1.5.2 | Single register of BiH citizens convicted abroad and of aliens convicted in BiH is established and maintained by the BiH MoJ | MoJ BiH and other competent institutions | x | | | | | USAID/JSDP provided support in the past. It is expected that this activity will be covered by UK funded project 'Establishment of better cooperation mechanisms between police and prosecutors offices'. | ● |

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|-------|---|---------|---|---|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=★ |
| | | 3.1.5.3 | Single register of BiH citizens convicted in the country is established and maintained by BiH MoJ, entity MoJs and Brcko District Judicial Commission | MoJ BiH and other competent institutions | x | | | | | External assistance is required. | ● |
| 3.2.1 | Create legal and institutional framework for the establishment of a harmonised free legal aid system in BiH in civil and criminal matters | 3.2.1.1 | Entity and cantonal laws on free legal aid in civil matters passed | MoJ BiH and entities and cantons, and BD JC | x | x | | | | DfID and USAID/JSDP provided technical assistance in the past. CIDA is currently providing some technical assistance in this area. | ⊙ |
| | | 3.2.1.2 | Harmonised laws on free legal aid in criminal matters in BiH and entities | MoJ BiH and entities and cantons, and BD JC | x | x | | | | External assistance is required. | ● |
| | | 3.2.1.3 | Institutional bodies for provision of free legal aid in civil and criminal law matters established and providing services | MoJ BiH and entities and cantons, and BD JC | x | x | | | | USAID/JSDP and AECID/Spanish Agency for International Cooperation and Development provided assistance in the past. Further external assistance is required. | ⊙ |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage: |
|-------|---|---------|---|---|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=★ |
| 3.2.2 | Define legal and institutional framework for ongoing implementation of the training programme for free legal aid providers | 3.2.2.1 | Training programmes defined and implemented | MoJ BiH and entities, and BD JC | x | x | x | x | x | USAID/JSDP and AECID/Spanish Agency for International Cooperation and Development provided technical assistance in the past. Further external assistance is required. | ⊙ |
| 3.2.3 | Analyse the established free legal aid system in criminal and civil law matters in terms of the effectiveness and efficiency of the free legal aid system | 3.2.3.1 | Analysis conducted and implementation activities commenced | MoJ BiH and entities and cantons, and BD JC | | | | | x | External assistance is required. | ● |
| 3.2.4 | Resolve the status of the Department for Criminal Defense of the Court of BiH | 3.2.4.1 | Future status and financing of the Department for Criminal Defense of the Court of BiH assumed by BiH | MoJ BiH | x | | | | | OHR and EC provided assistance to local authorities to implement this programme. Further external assistance is required. | ⊙ |
| 3.3.1 | Ensure full implementation of the Care of Court Users Strategy in BiH | 3.3.1.1 | Action plan for Strategy implementation developed, adopted and implemented | HJPC, MoJ BiH and entities and cantons | x | x | x | x | x | DfID provided technical assistance to develop the Strategy. USAID/JSDP will be providing some assistance until March 2009. Further external assistance is required. | ⊙ |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage: |
|-------|---|---------|---|--|-----------------------|----|----|----|----|--|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=★ |
| 3.3.2 | Increase the level of information accessible on organisation and work of the courts and prosecutor's offices in BiH to the wider BiH public | 3.3.2.1 | Increase the transparency of court proceedings for all parties in the proceedings: witnesses; victims; public and media, including the complete application of the Freedom of Access to Information Law | HJPC, MoJ BiH and entities and cantons | x | x | x | x | x | OSCE provided some technical assistance in this area in the past. Further external assistance is required. | ⊙ |
| | | 3.3.2.2 | Establish a strategy of work with the public for the courts and prosecutors in regards to investigations, processing and sentencing for those cases of particular interest for the public (war crimes, organised crime and sexual violence) | HJPC, MoJ BiH and entities and cantons | x | x | x | x | x | External assistance is required. | ● |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage: |
|-------|---|---------|--|--------------------------------------|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=◉ Not covered=● Ext. Assist. not required=★ |
| 3.3.3 | Explore modalities for a more active engagement of the NGO sector in BiH in monitoring the justice sector work in BiH | 3.3.3.1 | A study with recommendations on modalities of more active engagement of the NGO sector in BiH on monitoring the work of the justice sector developed | HJPC, MoJ BiH and entities and BD JC | x | x | x | | | British Embassy is currently implementing a Project to identify mechanisms to increase CSO participation in the justice sector. | ● |

Pillar IV – Support to economic growth

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|---|---------|--|----------------------------|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=◉ Not covered=● Ext. Assist. not required=★ |
| 4.1.1 | Ensure strategic guidelines for development of Alternative Dispute Resolution (ADR) | 4.1.1.1 | Conduct an analysis of experiences to date in the application of mediation | MoJ BiH | x | x | x | x | x | WB/IFC provides technical assistance in this area. Its assistance will continue in future. – for more details, please see the recently developed Action Plan posted on the web site of the BiH MoJ for this area. | ● |
| | | 4.1.1.2 | Action plan for promotion of ADR in BiH passed and implemented, including activities related to supporting the BiH Association of Mediators in promoting mediation | MoJ BiH | x | x | x | x | x | WB/IFC, Netherlands Embassy and CIDA/Genivar provide technical assistance in this area. IFC will continue in future. | ● |
| 4.1.2 | Promote benefits of ADR at the level of executive authorities in BiH | 4.1.2.1 | Raised awareness and trust in ADR at the level of executive authorities in BiH | MoJ BiH | x | x | x | x | x | This activity is expected to be covered in conjunction with the activities 4.1.1.1 and 4.1.1.2. | ● |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|--|---------|---|---|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=☆ |
| 4.1.3 | Continue promoting ADR among the business, legal and academic community | 4.1.3.1 | Amendments to code of ethics of the bar association in FBiH and RS adopted, in terms of the obligation to inform the parties on the possibility of dispute resolution through mediation | BiH Association of Mediators, Bar Association | x | x | x | x | x | External assistance is required. | ● |
| | | 4.1.3.2 | Programme of education on ADR developed and implemented at the relevant faculties in BiH | BiH Association of Mediators, Bar Association | x | x | x | x | x | IFC will provide some assistance in this area in conjunction with the activity 4.1.1.1. Further external assistance will be required. | ⊙ |
| | | 4.1.3.3 | Increased number of information sharing meetings with businessmen and other service users, with the aim of promoting ADR in BiH | BiH Association of Mediators, Bar Association | x | x | x | x | x | IFC will provide assistance in this area in conjunction with the activity 4.1.1.2. | ● |
| 4.1.4 | Define clear mechanisms and activities of promoting and encouraging the use of mediation among the judges in BiH | 4.1.4.1 | Plan of long-term promotion and encouragement of the use of mediation among the judges in BiH developed | HJPC | x | x | | | | It is expected to be covered by IFC as part of the action plan activities – see 4.1.1.2. | ● |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|--|---------|---|---------------------------------------|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=☆ |
| 4.1.5 | Strengthen the role of the BiH MoJ in defining policies for ADR and in the establishment of a system to evaluate and monitor the implementation and effectiveness of mediation | 4.1.5.1 | Strengthen the capacity of BiH MoJ to develop policies related to ADR | MoJ BiH | x | x | x | | | IFC is expected to provide some limited assistance in relation to this activity. Additional limited external assistance may be covered via ongoing and upcoming projects of support to BiH MoJ. | ⊙ |
| | | 4.1.5.2 | A system to evaluate and monitor the application and effectiveness of ADR defined and established | MoJ BiH | x | x | x | | | IFC is expected to provide limited assistance in this field. Additional limited external assistance may be provided via ongoing and upcoming projects of support to BiH MoJ. | ⊙ |
| 4.1.6 | Improve the capacity of the Association of Mediators in BiH in the development of: human resources; system of standardisation; training; licensing; and service provision | 4.1.6.1 | Secretariat for administrative and technical support for the BiH Association of Mediators established and operational | MoJ BiH, BiH Association of Mediators | x | x | x | x | x | Some limited assistance is expected to be provided through existing projects. | ⊙ |
| | | 4.1.6.2 | BiH Association of Mediators awarded the EN 45103 standard for licensing of the mediators | MoJ BiH, BiH Association of Mediators | x | x | x | x | x | No external assistance is required. | ☆ |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|--|---------|--|---|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=★ |
| | | 4.1.6.3 | Training programme for mediators in BiH advanced | MoJ BiH, BiH Association of Mediators | x | x | x | x | x | Some limited assistance is expected to be provided through existing projects. | ⊙ |
| 4.1.7 | Conduct induction training and provide ongoing professional development on successful referral of cases to mediation, as part of the professional development of judges, expert associates, apprentices and others | 4.1.7.1 | Training programme defined and implemented | HJPC, MoJ BiH and entities, and BD JC, CEST FbiH and RS | x | x | x | x | x | No external assistance is required. | ★ |
| | | 4.1.7.2 | The number of trained judges, expert associates, apprentices and others increased in comparison with the previous period | HJPC, MoJ BiH and entities, and BD JC, CEST FbiH and RS | x | x | x | x | x | No external assistance is required. | ★ |
| | | 4.1.7.3 | Repository of knowledge on trained persons established (data base, materials, etc.) | HJPC, MoJ BiH and entities, and BD JC, CEST FbiH and RS | x | x | x | x | x | Some limited assistance is expected to be provided through existing projects. | ⊙ |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|--------|--|----------|--|---|-----------------------|----|----|----|----|--|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=★ |
| 4.1.8 | Ensure a system of provision of mediation services throughout BiH | 4.1.8.1 | Optimal number of offices for mediation in BiH established in full capacity, with defined network of reporting, storing and exchanging of information and data | MoJ BiH and entities, and BD JC, Association of BiH mediators | x | x | x | x | x | Some limited technical assistance is expected to be provided through existing projects. | ⊙ |
| 4.1.9 | Conduct a study on modalities of the wider application of mediation and other types of alternative dispute resolution in BiH | 4.1.9.1 | Study with recommendations developed | MoJ BiH | | | | x | x | External assistance is required. | ● |
| 4.1.10 | Develop an action plan for enhancing the work of commercial departments of courts | 4.1.10.1 | Action plan developed | HJPC | x | | | | | It is expected that Netherlands Embassy will cover this activity through its upcoming support for economic development from 2008 – 2010. | ● |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|---|---------|--|---------------------------------|-----------------------|----|----|----|----|--|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=◉ Not covered=● Ext. Assist. not required=★ |
| 4.2.1 | Finalise legislative framework needed for optimal functioning of the land registry system | 4.2.1.1 | Property Law and Law on division of state property adopted, and the law on court fees amended with the aim of harmonising court fees for land registry procedures throughout BiH | MoJ BiH and entities, and BD JC | x | x | x | | | WB, GTZ, SIDA and ADA are conducting a longer term project in the field of land administration reform envisaged to last until the end of 2012. | ● |
| 4.2.2 | Ensure unified standards of quality in terms of providing services in the land registry offices | 4.2.2.1 | All rulebooks recommended in Strategic Guidelines for Land Registry Administration in BiH passed | MoJ BiH and entities, and BD JC | x | x | | | | WB, GTZ, SIDA and ADA are conducting a longer term project in the field of land administration reform envisaged to last until the end of 2012. | ● |
| 4.2.3 | Develop criteria and regulations regulating the number and status of land registry employees | 4.2.3.1 | Criteria and regulations developed and implemented | MoJ BiH and entities, and BD JC | x | | | | | WB, GTZ, SIDA and ADA are conducting a longer term project in the field of land administration reform envisaged to last until the end of 2012. | ● |
| 4.2.4 | Strengthen capacities of the entity MoJs to address the needs of the land registry system | 4.2.4.1 | Set up and make operational special departments for land registry business in entity MoJs | MoJ BiH and entities, and BD JC | x | x | x | x | x | WB, GTZ, SIDA and ADA are conducting a longer term project in the field of land administration reform envisaged to last until the end of 2012. | ● |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|---|---------|---|--|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=◉ Not covered=● Ext. Assist. not required=★ |
| | | 4.2.4.2 | Develop and implement training programme in development, monitoring and evaluation of policies in this area for the entity MoJs staff | MoJ BiH and entities, and BD JC | x | x | x | x | x | WB, GTZ, SIDA and ADA are conducting a longer term project in the field of land administration reform envisaged to last until the end of 2012. | ● |
| 4.2.5 | Strengthen capacities of the land registry offices in terms of the land registry administration needs | 4.2.5.1 | Develop and implement a program of ongoing professional advancement for staff in land registry offices | MoJ BiH and entities, and BD JC, and HJPC | x | x | x | x | x | WB, GTZ, SIDA and ADA are conducting a longer term project in the field of land administration reform envisaged to last until the end of 2012. | ● |
| | | 4.2.5.2 | Modernise work processes and management systems in the land registry administration | MoJ BiH and entities, and BD JC, and HJPC | x | x | x | x | x | WB, GTZ, SIDA and ADA are conducting a longer term project in the field of land administration reform envisaged to last until the end of 2012. Also, EC will finance a complementary Project "Spatial data infrastructure" via IPA 2007. | ● |
| 4.2.6 | Ensure mechanisms for harmonised legislation in the land registry sector in BiH | 4.2.6.1 | Full harmonisation of all regulations in land registry sector in the entire BiH achieved | MoJ BiH and entities, and BD JC, LACAB BiH | x | x | x | x | x | WB, GTZ, SIDA and ADA are conducting a longer term project in the field of land administration reform envisaged to last until the end of 2012. | ● |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|--|---------|--|---------------------------------|-----------------------|----|----|----|----|--|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⦿ Not covered=● Ext. Assist. not required=★ |
| 4.2.7 | Contribute to better coordination with institutions in the land registry administration sector | 4.2.7.1 | Full and ongoing cooperation with the Land Administration, Coordination and Advisory Board (LACAB) BiH established | MoJ BiH and entities, and BD JC | x | x | x | x | x | WB, GTZ, SIDA and ADA are conducting a longer term project in the field of land administration reform envisaged to last until the end of 2012. | ● |

Pillar V – Well-managed and coordinated sector

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|---|---------|---|-------------------------------------|-----------------------|----|----|----|----|--|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=◉ Not covered=● Ext. Assist. not required=★ |
| 5.1.1 | Establish and hold ministerial conferences, with HJPC President in attendance | 5.1.1.1 | Initiate and hold ministerial conferences at least every six months, with HJPC President in attendance as well | MoJ BiH and entity, and BD JC | x | x | x | x | x | British Embassy will be providing technical assistance until the end of 2008. EC, through IPA 2007, will provide technical assistance through 2009. | ● |
| | | 5.1.1.2 | Initiate and hold at least quarterly meetings of the MoJ and Brčko District Secretaries and Assistants to Ministers | MoJ BiH and entity, and BD JC | x | x | x | x | x | British Embassy will be providing technical assistance until the end of 2008. EC, through IPA 2007, will provide technical assistance during 2009. | ● |
| | | 5.1.1.3 | Strengthening capacities of the Bosnia and Herzegovina MoJ's SSPACEI for the purpose of providing technical assistance for these meetings | MoJ BiH and entity MoJ's, and BD JC | x | x | x | x | x | British Embassy will be providing technical assistance until the end of 2008. EC, through IPA 2007, will provide technical assistance during 2009. | ● |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|--|---------|---|-------------------------------------|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=◎ Not covered=● Ext. Assist. not required=★ |
| 5.1.2 | Strengthen the coordinating role of the Bosnia and Herzegovina MoJ | 5.1.2.1 | Clarification of legal provisions regulating the coordinating role of the Bosnia and Herzegovina MoJ and formal coordinating mechanisms with entities and BD JC | MoJ BiH | x | | | | | EC will provide technical assistance through IPA 2007 during 2009. | ● |
| 5.1.3 | Conduct in depth analysis of the impact of the MoJ restructuring at the cantonal level | 5.1.3.1 | In depth analysis conducted, with recommendations | MoJ FBiH and cantons | | | x | x | | EC partially covered this issue in its 2005 Report on Functional Analysis of the Justice Sector in BiH. Further external assistance is required. | ◎ |
| 5.2.1 | Establish institutional capacities for strategic planning and policy development | 5.2.1.1 | Smaller units for strategic planning established and operational in the entity MoJs and Brčko District Judicial Commission | MoJ BiH and entity MoJ's, and BD JC | x | | | | | External assistance is required. (N.B. EC and UNDP are currently conducting a Project on strengthening capacities of ministries for strategic planning and policy development, so that establishment of entities and BD SPPD units might be covered by them.) | ● |
| | | 5.2.1.2 | Centre for policy development, documentation and research established in Bosnia and Herzegovina MoJ | MoJ BiH and entity MoJ's, and BD JC | x | | | | | EC will fund this activity through IPA 2007 TA Project "Support to strategic planning, aid coordination and EU integration capacities in the BiH Ministry of Justice". | ● |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|--|---------|--|--|-----------------------|----|----|----|----|---|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=◉ Not covered=● Ext. Assist. not required=★ |
| 5.2.2 | Develop and maintain a system of collection, analysis and exchange of all relevant information among the key justice sector institutions | 5.2.2.1 | Types, ways of collection and access to relevant information defined | MoJ BiH and entity MoJ's, and BD JC and HJPC | x | x | x | x | x | British Embassy is currently providing assistance in this field. Also, CIDA is currently engaged in the implementation of this programme. | ● |
| | | 5.2.2.2 | System of collecting, analysis and exchange of information established between the justice sector institutions and NGO sector | MoJ BiH and entity MoJ's, and BD JC and HJPC | x | x | x | x | x | EC, through its IPA 2007 funded Project "Support to strategic planning, aid coordination and EU integration capacities in the BiH Ministry of Justice" will provide technical assistance in this field. | ● |
| 5.3.1 | Establish and maintain a mechanism for coordination of the justice sector institutions to effectively coordinate with the donors | 5.3.1.1 | Mechanism of joint coordination with donors defined and implemented with clear division of competencies among the institutions | MoJ BiH and entity MoJ's, and BD JC and HJPC | x | x | x | x | x | British Embassy is providing technical assistance in this regard by the end of 2008. EC, through its IPA 2007 funded Project "Support to strategic planning, aid coordination and EU integration capacities in the BiH Ministry of Justice" will further cover this programme. | ● |

| | Strategic programme | | Indicator of implementation | Responsible institution(s) | Implementation period | | | | | External Assistance | Level of coverage |
|-------|---|---------|--|-------------------------------------|-----------------------|----|----|----|----|--|--|
| | | | | | 09 | 10 | 11 | 12 | 13 | | Fully=● Partially=⊙ Not covered=● Ext. Assist. not required=★ |
| 5.3.2 | Establish the infrastructure and capacities in Bosnia and Herzegovina and Entity MoJs for support to the process of regulation harmonisation in the Bosnia and Herzegovina justice sector with the Acquis Communautaire | 5.3.2.1 | Persons or units for harmonisation of the regulations established | MoJ BiH and entity MoJ's, and BD JC | x | x | x | x | x | EC, through its IPA 2007 funded Project "Support to strategic planning, aid coordination and EU integration capacities in the BiH Ministry of Justice" will cover this programme. Further technical assistance from 2010 will be required. | ⊙ |
| | | 5.3.2.2 | Civil servants trained and acquired appropriate specialist skills in the field of harmonisation, including the application of the policy and regulations impact assessment tools | MoJ BiH and entity MoJ's, and BD JC | x | x | x | x | x | EC, through its IPA 2007 funded Project "Support to strategic planning, aid coordination and EU integration capacities in the BiH Ministry of Justice" will provide technical assistance to BiH MoJ in this regard. Further technical assistance is required. | ⊙ |